

2013 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB763)

Received:	2/21/2014	Received By:	mgallagh
Wanted:	As time permits	Same as LRB:	s0341
For:	David Murphy (608) 266-7500	By/Representing:	Diane H.
May Contact:		Drafter:	mgallagh
Subject:	Occupational Reg. - prof lic	Addl. Drafters:	
		Extra Copies:	MED

Submit via email: **YES**
 Requester's email: **Rep.Murphy@legis.wisconsin.gov**
 Carbon copy (CC) to: **michael.gallagher@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Registration requirement to operate mobile dentistry unit.

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mgallagh 2/21/2014	evinz 2/21/2014		_____			
/1	mduchek 2/24/2014	evinz 2/24/2014	jmurphy 2/21/2014	_____	mbarman 2/24/2014	mbarman 2/24/2014	
/2			rschluet 2/24/2014	_____	srose 2/24/2014	srose 2/24/2014	

FE Sent For:

<END>

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/?	mgallagh 2/21/2014	evinz 2/21/2014					
/1			jmurphy 2/21/2014		mbarman 2/24/2014	mbarman 2/24/2014	

FE Sent For:

12 elv
2/24/14
12 plev
2/24/14 JF
<END>

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Instructions:

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/?	mgallagh	1 eev 2/21/14	1 eev 2/21/14	_____	_____		
FE Sent For:		Jm 2/21					

<END>

Gallagher, Michael

From: Handrick, Diane
Sent: Friday, February 21, 2014 9:57 AM
To: Gallagher, Michael
Cc: Kelly, Scott
Subject: FW: Mobile Dentistry - Amendment to AB 763

Importance: High

Hi, Michael. I am writing on behalf of Rep. Murphy and Sen. Ellis to request an amendment to our mobile dentistry bill.

If at all possible, we need it by Monday morning at the latest. There's a Senate committee hearing on Tuesday, and an Assembly exec on Tuesday, also.

1. Should this be an amendment or a sub?
2. We are looking to get a hook into Chap 447 to provide more secure enforcement mechanism for mobile dentistry units.
3. We think we'd be creating a separate statute that's similar to the licensure statute, so no person may operate a mobile dentistry unit unless that unit is registered with the dental examining board.
4. We want to create a requirement that makes it against the law for someone to operate a mobile dentistry unit unless they were in good stead with the Dental Examining Board.
5. Then the bill would require rule promulgation. (use 'direct' not 'authorize' for the board to make rules.)
6. At a minimum these rules shall include registration, in state phone and mailing address, that records be accessible and patient access, and rules for unprofessional conduct (so the operator of the unit)

We are working closely with Leg Council Atty David Moore, who can talk with you about the amendment. Just let me know if you'd like him to call you (he's at home today). Also, we are working with Mara Brooks and you can share anything with her.

Diane Handrick
Office of Representative Dave Murphy

608-266-7500
Room 304 North, State Capitol
Madison WI 53708

Have you looked for unclaimed property in your name? <https://ucp.revenue.wi.gov/ucpsearch.aspx>

From: Mara Brooks [mailto:mbrooks@wda.org]
Sent: Thursday, February 20, 2014 5:19 PM
To: Handrick, Diane
Cc: Kelly, Scott
Subject: Mobile Dentistry - Amendment Discussions

Diane (and Scott):

I just spent about 40 minutes with Leg Council attorney this afternoon (David Moore) and he will be calling you, Diane, to discuss the outcome of our meeting. After discussing current statutory enforcement authority (basically there is none) of the DEB over non-dentists and dental hygienists, it looks like we'll want an amendment to clarify the statutory enforcement authority of the DEB over non-

dentists who operate mobile clinics...we agree that we may also want a threshold of things the DEB should require of mobile operators - at a minimum - like registration with DEB, Wisconsin-based address and phone number, and a protocol for providing patients with access to their records as well as making it clear that the DEB needs to draft standards of conduct for mobile dental units. I'm on the road to Neenah tomorrow for work - will be available by cell phone (608)575-5448 if you need me, please call - if I don't pick up, I'll get to a point where I can call you back and I'll do so. Thanks very much - hope this works out to get something done - let me know if your bosses are OK with this amendment concept or not. Thanks. Mara

Mara Brooks

Director of Government Services | Wisconsin Dental Association

10 E. Doty St, Ste 509 | Madison, WI 53703

P: 608.250.3442 | F: 414.755.4131



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In: 2/21 By Mon 2/24 9AM.

State of Wisconsin
2013 - 2014 LEGISLATURE



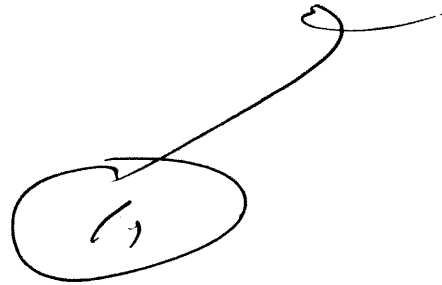
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY SUBSTITUTE AMENDMENT,
TO ASSEMBLY BILL 763

SAV
xref



gencat

1 AN ACT *gencat*; relating to: Regulation of mobile dentistry units and granting
2 rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 440.08 (2) (a) 46y. of the statutes is created to read:

4 440.08 (2) (a) 46y. Mobile dentistry unit registration: October 1 of each
5 odd-numbered year.

6 SECTION 2. 447.01 (10) of the statutes is created to read:

7 447.01 (10) "Mobile dentistry unit registrant" means a person registered under
8 s. 447.058.

9 SECTION 3. 447.058 of the statutes is created to read:

10 **447.058 Mobile dentistry unit registration. (1) REGISTRATION REQUIRED.**

11 No person may own or operate a mobile dentistry unit in this state unless the person

is registered under this section. A person that wishes to own or operate more than one mobile dentistry unit in this state shall apply for a separate registration under this section for each mobile dentistry unit the person owns or operates.

(2) REGISTRATION. (a) The examining board may grant a registration under this section to a person who does all of the following:

1. Submits an application for registration to the department on a form provided by the department. The application shall include the person's name and tax identification number, the person's business address and telephone number in this state, and any other information the department or the examining board requires.

2. Pays the fee specified in s. 440.05 (1).

3. Satisfies any other requirements established by the examining board by rule.

(d) A mobile dentistry unit registrant shall submit an application for renewal, and the applicable renewal fee determined by the department under s. 440.03 (9) (a), to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a).

(3) RULES. The examining board shall promulgate rules implementing this section, including rules that do all of the following:

(a) Require a mobile dentistry unit registrant to maintain a current business address and telephone number in this state.

(b) Require a mobile dentistry unit registrant to establish procedures for a patient treated in the mobile dentistry unit to access his or her patient records.


(c) Establish standards of conduct for the operation of a mobile dentistry unit in this state, the provision of dental services out of a mobile dentistry unit, and the use of portable dental equipment.

¶ (d) Define "mobile dentistry unit" and the activities that constitute the operation of a mobile dentistry unit

revises unit for purposes of the registration section under this

X
1 SECTION 4. 447.07 (1) of the statutes is amended to read:

2 447.07 (1) The examining board may, without further notice or process, limit,
3 suspend, or revoke the license or certificate of any dentist or dental hygienist, or the
4 registration of a mobile dentistry unit registrant, who fails, within 60 days after the
5 mailing of written notice to the dentist's ~~or~~, dental hygienist's, or registrant's
6 last-known address, to renew ~~his or her~~ the license ~~or~~, certificate, or registration.

 History: 1975 c. 94 s. 91 (12); 1977 c. 29; 1977 c. 418; 1979 c. 162; 1981 c. 65, 380; 1981 c. 391 ss. 169, 211; 1983 a. 289; 1985 a. 29, 146; 1987 a. 316; 1989 a. 349; 1995 a. 448; 1997 a. 96, 97, 237.

X
7 SECTION 5. 447.07 (3) (intro.) of the statutes is amended to read:

8 447.07 (3) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
9 examining board may make investigations and conduct hearings in regard to any
10 alleged action of any dentist or dental hygienist, of a mobile dentistry unit registrant,
11 or of any other person it has reason to believe is engaged in or has engaged in the
12 practice of dentistry or dental hygiene, or the operation of a mobile dentistry unit,
13 in this state, and may, on its own motion, or upon complaint in writing, reprimand
14 any dentist or dental hygienist who is licensed or certified under this chapter, or any
15 mobile dentistry unit registrant, or deny, limit, suspend, or revoke his or her license
16 or certificate, or the registration of the mobile dentistry unit registrant, if it finds that
17 the dentist ~~or~~, dental hygienist, or mobile dentistry unit registrant has done any of
18 the following:

History: 1975 c. 94 s. 91 (12); 1977 c. 29; 1977 c. 418; 1979 c. 162; 1981 c. 65, 380; 1981 c. 391 ss. 169, 211; 1983 a. 289; 1985 a. 29, 146; 1987 a. 316; 1989 a. 349; 1995 a. 448; 1997 a. 96, 97, 237.

X
19 SECTION 6. 447.07 (3) (a) of the statutes is amended to read:

20 447.07 (3) (a) Engaged in unprofessional conduct or violated the standards of
21 conduct established by the examining board under s. 447.058 (3) (c). ✓

History: 1975 c. 94 s. 91 (12); 1977 c. 29; 1977 c. 418; 1979 c. 162; 1981 c. 65, 380; 1981 c. 391 ss. 169, 211; 1983 a. 289; 1985 a. 29, 146; 1987 a. 316; 1989 a. 349; 1995 a. 448; 1997 a. 96, 97, 237.

X
22 SECTION 7. 447.07 (3) (b) of the statutes is amended to read:

1 447.07 (3) (b) Made any false statement or given any false information in
2 connection with an application for a license ~~or~~, certificate, or registration or for
3 renewal or reinstatement of a license ~~or~~, certificate, or or registration, or received a
4 license ~~or~~, certificate, or registration through error.

History: 1975 c. 94 s. 91 (12); 1977 c. 29; 1977 c. 418; 1979 c. 162; 1981 c. 65, 380; 1981 c. 391 ss. 169, 211; 1983 a. 289; 1985 a. 29, 146; 1987 a. 316; 1989 a. 349; 1995 a. 448; 1997 a. 96, 97, 237.

5 **SECTION 8.** 447.07 (3) (e) of the statutes is amended to read:

6 447.07 (3) (e) Subject to ss. 111.321, 111.322, and 111.335, been convicted of a
7 crime, the circumstances of which substantially relate to the practice of dentistry or
8 dental hygiene or the operation of a mobile dentistry unit.

History: 1975 c. 94 s. 91 (12); 1977 c. 29; 1977 c. 418; 1979 c. 162; 1981 c. 65, 380; 1981 c. 391 ss. 169, 211; 1983 a. 289; 1985 a. 29, 146; 1987 a. 316; 1989 a. 349; 1995 a. 448; 1997 a. 96, 97, 237.

9 **SECTION 9.** 447.07 (3) (f) of the statutes is amended to read:

10 447.07 (3) (f) Violated this chapter or any federal or state statute or rule ~~which~~
11 that relates to the practice of dentistry or dental hygiene, or the operation of a mobile
12 dentistry unit.

History: 1975 c. 94 s. 91 (12); 1977 c. 29; 1977 c. 418; 1979 c. 162; 1981 c. 65, 380; 1981 c. 391 ss. 169, 211; 1983 a. 289; 1985 a. 29, 146; 1987 a. 316; 1989 a. 349; 1995 a. 448; 1997 a. 96, 97, 237.

13 **SECTION 10.** 447.07 (3) (m) of the statutes is amended to read:

14 447.07 (3) (m) Made a substantial misrepresentation in the course of practice,
15 or in the operation of a mobile dentistry unit, that was relied upon by a client.

History: 1975 c. 94 s. 91 (12); 1977 c. 29; 1977 c. 418; 1979 c. 162; 1981 c. 65, 380; 1981 c. 391 ss. 169, 211; 1983 a. 289; 1985 a. 29, 146; 1987 a. 316; 1989 a. 349; 1995 a. 448; 1997 a. 96, 97, 237.

16 **SECTION 11.** 447.07 (5) of the statutes is amended to read:

17 447.07 (5) The examining board may reinstate a license ~~or~~, certificate, or
18 registration that has been voluntarily surrendered or revoked on terms and
19 conditions that it considers appropriate. This subsection does not apply to a license
20 or registration that is revoked under s. 440.12.

History: 1975 c. 94 s. 91 (12); 1977 c. 29; 1977 c. 418; 1979 c. 162; 1981 c. 65, 380; 1981 c. 391 ss. 169, 211; 1983 a. 289; 1985 a. 29, 146; 1987 a. 316; 1989 a. 349; 1995 a. 448; 1997 a. 96, 97, 237.

21 **SECTION 12.** 447.07 (7) of the statutes is amended to read:

447.07 (7) In addition to or in lieu of a reprimand or denial, limitation, suspension, or revocation of a license ~~or, certificate, or registration~~ under sub. (3), the examining board may assess against an applicant, licensee ~~or, certificate holder, or mobile dentistry unit registrant~~ a forfeiture of not more than \$5,000 for each violation enumerated under sub. (3).

History: 1975 c. 94 s. 91 (12); 1977 c. 29; 1977 c. 418; 1979 c. 162; 1981 c. 65, 380; 1981 c. 391 ss. 169, 211; 1983 a. 289; 1985 a. 29, 146; 1987 a. 316; 1989 a. 349; 1995 a. 448; 1997 a. 96, 97, 237.

SECTION 13. Effective date.

(1) This act takes effect on first day of the 7th month beginning after publication.

(END)

Duchek, Michael

From: Handrick, Diane
Sent: Monday, February 24, 2014 11:16 AM
To: Duchek, Michael
Subject: FW: Mobile Dentistry - 2 Changes/Requests on Amendment
Importance: High

FYI: the Ellis and Murphy office want to make change #1.

With #2, we want to change but don't know which word to select instead of unit. Do you have a suggestion?

Diane Handrick
Office of Representative Dave Murphy

608-266-7500

Room 304 North, State Capitol

Madison WI 53708

Have you looked for unclaimed property in your name? <https://ucp.revenue.wi.gov/ucpsearch.aspx>

From: Mara Brooks [<mailto:mbrooks@wda.org>]
Sent: Monday, February 24, 2014 11:00 AM
To: Handrick, Diane; Kelly, Scott
Cc: Moore, David
Subject: Mobile Dentistry - 2 Changes/Requests on Amendment

Scott and Diane (and David from Leg Council):

I have officially heard back from the various entities that have been supportive of this proposal and there are two changes they - collectively - feel they would like to request - the changes are put here below in order of their importance:

(1) They want to remove the phrase "in this state" from line 10-11 on pg. 2 --- there are apparently some programs that come from bordering states that they feel might feel it is a burden to set up an office and phone here in Wisconsin - they feel with the requirements to register and provide an address and phone number and to clarify access to patient records, that having a Wisconsin address really isn't going to be that big of a deal - we would agree - the clear enforcement authority and registration requirements should take care of the bad actors - in state or out.

(2) They also wonder if the term "unit" could be replaced by "operation", "entity" or "program" throughout the entire document when referencing "mobile dentistry unit"... this has been an ongoing issue for the group - they feel that "unit" makes it sound too much like it is a single contained operation like a mobile bus and in reality, they want to have it clarified that it can be an operation, an entity or a program which operates in a format other than bringing a self-contained "unit" into the area, etc. I'm not sure if there was a strong legal reference or reason why the drafter used "unit" but we all tend to agree that we like the term "program" or "entity" or "operation" better than "unit".

That would be it - if these two issues are addressed, the group that supported this remains supportive of the amendment as well.

Thanks. Mara

Mara Brooks

Director of Government Services | Wisconsin Dental Association

10 E. Doty St, Ste 509 | Madison, WI 53703

P: 608.250.3442 | F: 414.755.4131



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Duchek, Michael

From: Handrick, Diane
Sent: Monday, February 24, 2014 12:06 PM
To: Duchek, Michael
Cc: Kelly, Scott; Mara Brooks; Moore, David
Subject: New Sub Amendment (Assembly and Senate) for AB 763 and SB 573

Importance: High

Hi, Mike.

Please make these changes from the old sub, to create the new sub.

1. Page 2 lines 10-11: Delete "in this state"
2. Page 2 lines 21-22: delete.
3. Change 'units' to 'programs' throughout.

Send stripes ASAP to both Ellis and Murphy.

Thanks again, Mike.

Diane Handrick
Office of Representative Dave Murphy

608-266-7500

Room 304 North, State Capitol

Madison WI 53708

Have you looked for unclaimed property in your name? <https://ucp.revenue.wi.gov/ucpsearch.aspx>

Duchek, Michael

From: Handrick, Diane
Sent: Monday, February 24, 2014 1:01 PM
To: Duchek, Michael
Cc: Kelly, Scott; Mara Brooks; Moore, David
Subject: FW: Effective Date

Importance: High

Hi, Mike.

We want it in effect 2 months AFTER the rules have been promulgated.

If there's a problem, give me a call. Thanks!!!

Diane Handrick
Office of Representative Dave Murphy

608-266-7500

Room 304 North, State Capitol

Madison WI 53708

Have you looked for unclaimed property in your name? <https://ucp.revenue.wi.gov/ucpsearch.aspx>

From: Moore, David
Sent: Monday, February 24, 2014 12:50 PM
To: Handrick, Diane
Subject: Effective Date

How you delay the effective dates basically depends on when you would like to see the registration requirement begin. There are basically two options:

- 1) If you want registration to be required at a time certain Mike can delay the effective date of the registration requirement until that date (the rest of the bill, including the directive to promulgate rules, would go into effect right away) and specify that the board is granted emergency rulemaking authority. (This authority would be necessary to enable the department to promulgate rules in time.)
- 2) Alternatively, the effective date of the registration requirement could depend on the completion of the board's (nonemergency) rulemaking. Under that scenario, Mike would specify that the registration requirement is delayed until X month(s) after the department has promulgated rules.

David Moore
Wisconsin Legislative Council
(608) 266-1946
David.Moore@legis.wisconsin.gov

Duchek, Michael

From: Moore, David
Sent: Monday, February 24, 2014 1:30 PM
To: Duchek, Michael
Subject: effective date

Mike,

I confirmed with Diane that she was referring to the permanent rules.

David

David Moore
Wisconsin Legislative Council
(608) 266-1946
David.Moore@legis.wisconsin.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBs0339/2
MPG:eev:jm

to be done ASAP
Now

EMED

D-note
Inserts

ASSEMBLY SUBSTITUTE AMENDMENT,

✓ TO ASSEMBLY BILL 763
CR 440.03 (13)(b) 38m.

440.03 (13)(b) 38m. Mobile dentistry
program registrant^①

Reger

- 1 AN ACT *to amend* 447.07 (1), 447.07 (3) (intro.), 447.07 (3) (a), 447.07 (3) (b),
2 447.07 (3) (e), 447.07 (3) (f), 447.07 (3) (m), 447.07 (5) and 447.07 (7); and *to*
3 *create* 440.08 (2) (a) 46y., 447.01 (10) and 447.058 of the statutes; **relating to:**
4 regulation of mobile dentistry ^{programs} ~~units~~ and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 5 SECTION 1. 440.08 (2) (a) 46y. of the statutes ^{program} is created to read:
6 440.08 (2) (a) 46y. Mobile dentistry ~~unit~~ registration: October 1 of each
7 odd-numbered year.

- 8 SECTION 2. 447.01 (10) of the statutes is created to read:
9 447.01 (10) "Mobile dentistry ^{program} ~~unit~~ registrant" means a person registered under
10 s. 447.058.

- 11 SECTION 3. 447.058 of the statutes is created to read:

✓ Ins 1-10
Ins from
pp. 2-3
No 9

447.058 Mobile dentistry ^{e program} unit registration. (1) REGISTRATION REQUIRED.

No person may own or operate a mobile dentistry ^{e program} unit in this state unless the person is registered under this section. A person that wishes to own or operate more than one mobile dentistry ^{e program} unit in this state shall apply for a separate registration under this section for each mobile dentistry ^{e program} unit the person owns or operates.

(2) REGISTRATION. (a) The examining board may grant a registration under this section to a person who does all of the following:

1. Submits an application for registration to the department on a form provided by the department. The application shall include the person's name and tax identification number, the person's business address and telephone number ^e in this state, and any other information the department or the examining board requires.

2. Pays the fee specified in s. 440.05 (1).

3. Satisfies any other requirements established by the examining board by rule.

(b) A mobile dentistry ^{e program} unit registrant shall submit an application for renewal, and the applicable renewal fee determined by the department under s. 440.03 (9) (a), to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a).

(3) RULES. The examining board shall promulgate rules implementing this section, including rules that do all of the following:

(a) Require a mobile dentistry unit registrant to maintain a current business address and telephone number in this state.

(b) Require a mobile dentistry ^{e program} unit registrant to establish procedures for a patient treated in the mobile dentistry ^{e program} unit to access his or her patient records.

A requirement that

Move to P. 11

- 1 (c) Establish standards of conduct for the operation of a mobile dentistry unit
2 in this state, the provision of dental services ^{through} out of a mobile dentistry unit, and the
3 use of portable dental equipment.
4 (d) Define "mobile dentistry unit" and the activities that constitute the
5 operation of a mobile dentistry unit for purposes of the registration requirement
6 under this section. ^{es, 447.058}

7 SECTION 4. 447.07 (1) of the statutes is amended to read:

8 447.07 (1) The examining board may, without further notice or process, limit,
9 suspend, or revoke the license or certificate of any dentist or dental hygienist, ^{or the}
10 registration of a mobile dentistry unit registrant, who fails, within 60 days after the
11 mailing of written notice to the dentist's or, dental hygienist's, or registrant's
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14 447.07 (3) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
15 examining board may make investigations and conduct hearings in regard to any
16 alleged action of any dentist or dental hygienist, of a mobile dentistry unit registrant,
17 or of any other person it has reason to believe is engaged in or has engaged in the
18 practice of dentistry or dental hygiene, or the operation of a mobile dentistry unit
19 in this state, and may, on its own motion, or upon complaint in writing, reprimand
20 any dentist or dental hygienist who is licensed or certified under this chapter, or any
21 mobile dentistry unit registrant, or deny, limit, suspend, or revoke his or her license
22 or certificate, or the registration of the mobile dentistry unit registrant, if it finds that
23 the dentist or, dental hygienist, or mobile dentistry unit registrant has done any of
24 the following:

25 SECTION 6. 447.07 (3) (a) of the statutes is amended to read:

1 447.07 (3) (a) Engaged in unprofessional conduct or violated the standards of ✓
2 conduct established by the examining board under s. 447.058 (3) (c). 447.02(2)(g)

3 SECTION 7. 447.07 (3) (b) of the statutes is amended to read:

4 447.07 (3) (b) Made any false statement or given any false information in
5 connection with an application for a license ~~or~~, certificate, or registration or for
6 renewal or reinstatement of a license ~~or~~, certificate, or or registration, or received a
7 license ~~or~~, certificate, or registration through error.

8 SECTION 8. 447.07 (3) (e) of the statutes is amended to read:

9 447.07 (3) (e) Subject to ss. 111.321, 111.322, and 111.335, been convicted of a
10 crime, the circumstances of which substantially relate to the practice of dentistry or
11 dental hygiene or the operation of a mobile dentistry unit. program

12 SECTION 9. 447.07 (3) (f) of the statutes is amended to read:

13 447.07 (3) (f) Violated this chapter or any federal or state statute or rule which
14 that relates to the practice of dentistry or dental hygiene, or the operation of a mobile
15 dentistry unit. program

16 SECTION 10. 447.07 (3) (m) of the statutes is amended to read:

17 447.07 (3) (m) Made a substantial misrepresentation in the course of practice,
18 or in the operation of a mobile dentistry unit, program that was relied upon by a client.

19 SECTION 11. 447.07 (5) of the statutes is amended to read:

20 447.07 (5) The examining board may reinstate a license ~~or~~, certificate, or
21 registration that has been voluntarily surrendered or revoked on terms and
22 conditions that it considers appropriate. This subsection does not apply to a license
23 or registration that is revoked under s. 440.12.

24 SECTION 12. 447.07 (7) of the statutes is amended to read:

447.07 (7) In addition to or in lieu of a reprimand or denial, limitation, suspension, or revocation of a license ~~or, certificate, or registration~~ under sub. (3), the examining board may assess against an applicant, licensee ~~or, certificate holder, or~~ mobile dentistry ^{program} unit registrant a forfeiture of not more than \$5,000 for each violation enumerated under sub. (3).

SECTION 13. Effective date.

(1) This act takes effect on the first day of the 7th month beginning after publication.

(END)

el/Ins 5-6

D-note 37

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBs0339/2ins
MED:.....

INSERT 1-10

SECTION 1. 447.02 (2) (f) ^uto ^u(g) and ^u(h) of the statutes are created to read:

447.02 (2) (f)

INSERT 5-6

^{A.R.b.}
SECTION 2. ~~2.~~ Nonstatutory provisions.

(1) At the same time the dentistry examining board files with the legislative reference bureau under section 227.20 of the statutes a rule satisfying the requirements under ~~section~~ section 447.02 (2) (f), (g), and (h) of the statutes, as created by this act, the dentistry examining board shall send a notice to the legislative reference bureau for publication in the Wisconsin Administrative Register that states the date on which the treatments to the statutes described under SECTION 3 (intro.) of this act will take effect as provided in SECTION 3 (intro.) of this act.

^{A.R.a.}
SECTION 3 (intro.) of this act will take effect as provided in SECTION 3 (intro.) of this act.

^{A.R.a.}
SECTION 4. ~~4.~~ Effective dates. This act takes effect on the 1st day of the 3rd month beginning after the legislative reference bureau receives the notice under SECTION 2 (1) of this act, except as follows:

^{A.R.b.}
(1) The treatment of ~~section~~ ^{sections 447.01 (10) and} 447.02 (2) (f), (g), and (h) of the statutes and SECTION 2 (1) of this act take effect on the day after publication.

^{A.R.b.}

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBs0339/2dn
MPG:eev:jm

Date

Wisconsin Administrative
Register

1. This substitute amendment provides that, when the Dentistry Examining Board (DEB) files its rules for publication with the LRB, which is the final stage of the rulemaking process from the agency's perspective, the DEB must also send an additional notice to the LRB for publication in the register to provide notice that the registration requirements for mobile dentistry programs will go into effect in 2 months. Therefore, the statutory provisions will, under the bill, go into effect roughly 2 months after receipt of this notice, and the DEB will not be able to further delay the effective date of the statutory provisions. For example then, if the DEB sends the LRB the final rule on September 15, 2015, the statutory provisions will take effect on December 1, 2016. Let me know if that sounds like it might be problematic for any reason.

2. I added a treatment to add mobile dentistry programs to the list under s. 440.03 (13) (b), stats. This change is largely technical.

Michael Duchek
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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0339/2dn

MPG:eev:rs

February 24, 2014

1. This substitute amendment provides that, when the Dentistry Examining Board (DEB) files its rules for publication with the LRB, which is the final stage of the rule-making process from the agency's perspective, DEB must also send an additional notice to the LRB for publication in the Wisconsin Administrative Register to provide notice that the registration requirements for mobile dentistry programs will go into effect in two months. Therefore, the statutory provisions will, under the bill, go into effect roughly two months after receipt of this notice, and DEB will not be able to further delay the effective date of the statutory provisions. For example then, if DEB sends the LRB the final rule on September 15, 2015, the statutory provisions will take effect on December 1, 2015. Let me know if that sounds like it might be problematic for any reason.
2. I added a treatment to add mobile dentistry programs to the list under s. 440.03 (13) (b), stats. This change is largely technical.

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